

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

655J0343

HOUSE BILL NO. 1168

Introduced by: Representatives Bartling, Burg, and Gillespie and Senators Koetzle, de Hueck, and Nachtigal

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the employment,
2 term of office, and termination of county highway superintendents.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 31-11-1 be amended to read as follows:

5 31-11-1. The board of county commissioners at its discretion may employ a county highway
6 superintendent, the salary and expenses to be fixed and allowed by the board of county
7 commissioners, to be paid out of the motor vehicle fund of the county. No member of the board
8 of county commissioners ~~shall~~ may be appointed as county highway superintendent. ~~The tenure~~
9 ~~of office of the county highway superintendent may be terminated at any time by resolution of~~
10 ~~the board of county commissioners upon thirty days' notice, but unless so terminated, the tenure~~
11 ~~of office shall be for two years. The term of office of the county highway superintendent shall~~
12 commence upon appointment and may be terminated by the board of county commissioners for
13 just cause as provided in § 3-17-6 or for the violation of any policy or regulation of the county.
14 However, the board of county commissioners may dismiss the county highway superintendent
15 without cause during the first year of such appointment. The county highway superintendent's



- 1 term of office may be terminated upon not less than ten working day's notice. Any vacancy shall
- 2 be filled in the same manner as the original appointment.